

Message Text

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ACTION OES-07

INFO OCT-01 IO-13 ISO-00 FEA-01 ACDA-10 CIAE-00 INR-07
L-03 NSAE-00 NSC-05 EB-07 NRC-07 DODE-00 SS-15
PM-04 TRSE-00 AID-05 IGA-02 OMB-01 /088 W
-----250016Z 023629 /12

R 241440Z MAY 77
FM USMISSION IAEA VIENNA
TO SECSTATE WASHDC 9138

INFO USERDA HQ WASHDC
USERDA WHQ GERMANTOWN

UNCLAS IAEA VIENNA 4239

PASS IO/SCT

E.O. 11652: N/A
TAGS: AORG, EAID, IAEA
SUBJECT: PROCUREMENT OF 1977 EQUIPMENT GRANTS FOR TEHCNICAL
ASST

REF: A)UPSHAW/WILLIAMSON TWX 051431Z MAY 1977
B) STATE 103553

1. MISSION HAS CONSULTED AGENCY EQUIPMENT SECTION (KENYERES
AND MANN) RE JUSTIFICATION OF NONCOMPETITIVE PROCUREMENT
UNDER CURRENTLY ENFORCED PROCUREMENT REGS., AS OUTLINED
REF. A, IN VIEW OF AGENCY NEEDS. ON THE BAIS OF THESE
CONSULTATIONS IT APPEARS THAT THE AGENCY USUALLY INTENDS
THAT EQUIPMENT BE OBTAINED FROM THE SOURCE OR SOURCES

INCLUDED IN THE SPECIFICATIONS PROVIDED TO U.S. THE REASONS
FOR THIS VARY FROM CASE TO CASE AND INCLUDE COMPATIBILITY WITH
EQUIPMENT
PREVIOUSLY PURCHASED BY THE AGENCY OR OTHERWISE, SUPPLIERS'
ABILITY TO SERVICE THE EQUIPMENT IN THE FIELD, PREFERENCE
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OF THE EXPERT OR THE AGENCY TECHNICAL STAFF, THE NEED FOR
RAPID DELIVERY, ETC. DOCUMENTATION OF THESE NEEDS ON A
CASE BY CASE BASIS AS OUTLINED REF A NOT RPT NOT
PRACTICAL IN TERMS OF THE DETAILED NATRUE OF THE JUSTIFICA-
TION NEEDED, AND THE TIME AND MANPOWER REQUIRED TO PREPARE
IT VS. THE VALUE OF THE ITEMS TO BE PURCHASED.

2. AGENCY EQUIPMENT SECTION ACCEPTS SUGGESTION THAT PROBLEMS WOULD BE REDUCED AND IMPLEMENTATION OF TECHNICAL ASSISTANCE PROJECTS SPEEDED UP IF FUNDS WERE TRANSFERRED TO THE AGENCY TO PURCHASE THE EQUIPMENT GRANTED RATHER THAN HAVING ERDA CONTINUE TO PURCHASE SUCH EQUIPMENT. AGENCY WOULD NATURALLY BE CONSTRAINED TO PURCHASE EQUIPMENT FOR PROJECTS RECOMMENDED AND APPROVED IN THE USUAL FASHION, AND FURTHER TO OBSERVE REQUIREMENTS OF US GOVERNMENT WHICH ACCOMPANY TRANSFER OF FUNDS. ESSENTIALLY THIS PROPOSAL IS EQUIVALENT TO SYSTEM ADOPTED FOR EXPERTS, REF B.

3. MISSION HAS REVIEWED AGENCY PROCUREMENT PRACTICES WHICH ARE CONSTRAINED BY PROCUREMENT RULES SET OUT IN AGENCY ADMIN MANUAL PART 6 SECTION 1, ENTITLED CONTRACTS AND INVITATIONS TO BID--INTERIM FINANCIAL RULES, (RULE 3.01 TO 3.06). THESE RULES PROVIDE THAT PURCHASE CONTRACTS REQUIRE COMPETITIVE PROCUREMENT, EXCEPT WHEN;

- A) THE PROPOSED CONTRACT COMMITS LESS THAN DOLS 5,000; BZL THE PRICE IS GOVERNMENTALLY DETERMINED;
- C) THE CONTRACT RELATES TO PROFESSIONAL, OR HOSPITAL SERVICES OR MEDICAL SUPPLIES AND EQUIPMENT;
- D) EXIGENCIES OF THE SERVICE DO NOT PERMIT DELAY;
- E) THE DIR. GEN. DETERMINES NON-COMPETITIVE PROCUREMENT TO BE IN AGENCY INTEREST;
- F) THE CONTRACT IS FOR THE PURCHASE OF SCIENTIFIC EQUIPMENT OF LESS THAN DOLS 9,000 OR WHEN EQUIPMENT COMPOSED OF SEVERAL AND DIFFERENT INDEPENDENT UNITS (NOT INTEGRAL PARTS AND COMPONENTS) FOR EACH OF WHICH THE UNIT PRICE DOES NOT EXCEED DOLS 2,000. MULTIPLES OF THE

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SAME ITEM OF VALUE MORE THAN DOLS 2,000 REQUIRE COMPETITIVE BIDDING.

4. AGENCY CONTRACT REVIEW COMMITTEE (COMPOSED OF DIR. DIV. OF B&F (ABBADESSA), DIR. DIV. OF GEN. SERV., DIR. LEGAL DIV., AND DIR. OF DIV. CONCERNED WITH PARTICULAR CONTRACT, SEE ADMIN MANUAL, PART I, SECTION 7, APPENDIS B.) EXAMINES ALL PROPOSALS FOR PURCHASE OF GOODS VALUED AT DOLS. 5,000 OR MORE, EXCEPT PROPOSALS FOR PURCHASE OF SCIENTIFIC BIDDING HAS BEEN WAIVED BECAUSE (I) THERE IS ONLY ONE SUPPLIER, (II) STANDARDIZATION OF EQUIPMENT INTERCHANGEABILITY OF PARTS OR MAINTENANCE SERVICES, (III) BIDS FOR IDENTICAL EQUIPMENT IN LAST 12 MONTHS IN ABSENCE OF INTERVENING CATALOG PRICE CHANGE, (IV) NEED TO USE CERTAIN CURRENCIES, OR (V) EXPERIENCE SHOWS COMPETITIVE BIDDING TO PRODUCE PRICES NO BETTER THAN CATALOG PROCES. THE EQUIPMENT SECTION REPORTS ALL PURCHASES EXEMPTED FROM COMPETITIVE PROCUREMENT FOR FOREGOING REASONS TO CONTRACT REVIEW COMMITTEE ALSO REVIEWS ALL SERVICE CONTRACTS OTHER THAN THOSE FOR

EMPLOYMENT AND MOVING SERVICES.

5. IN THE EVENT DEPT AGREES WITH PROPOSAL FOR AGENCY
RATHER THAN ERDA TO PURCHASE AND SUPPLY EQUIPMENT,
MISSION REQUESTS GUIDANCE AS TO LANGUAGE OF LIMITATIONS
TO BE PLACED ON AGENCY IN THE EXPENDITURE OF FUNDS.
MISSION BELIEVES DEPT/ERDA SHOULD SERIOUSLY CONSIDER
THIS PROPOSAL TO HAVE AGENCY PURCHASE EQUIPMENT GRANTS,
AS IT COULD CONTRIBUTE TO MORE EFFICIENT AND EFFECTIVE
IMPLEMENTATIONS OF AGENCY'S TA PROGRAM. STONE

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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
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